



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Oliver Lemmer et al.

Serial No.: 09/937,897

Filed: September 28, 2001

For: Diamond-Coated Tool and Process for Producing Thereof

Atty. Docket No.: 000475.00004

Group Art Unit: 1775

Examiner:

Archene A. Turner

PETITION TO WITHDRAW ERRONEOUS NOTICE OF ABANDONMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:


In response to the Notice of Abandonment mailed on March 25, 2004 by the U.S. Patent & Trademark Office (USPTO), Applicants respectfully submit that the abandonment of the instant application is in error and request that such indication of abandonment be withdrawn. The Notice of Abandonment states that Applicants failed to timely file a response to the Office Action mailed July 14, 2003.

Applicants' attorney received an Office Action mailed July 14, 2003. In response, Applicants' attorney filed an Amendment on November 14, 2003. A copy of the Amendment and its corresponding postcard receipt showing the USPTO date stamp of November 14, 2003, is attached hereto. Therefore, it is believed that the Notice of Abandonment has been mailed in error by the USPTO.

In view of the above, it is believed that no fees are due for consideration of this Petition and withdrawal of the Notice of Abandonment. However, if necessary, the Commissioner is hereby authorized to charge the petition fee of \$130 to our Deposit Account No. 19-0733. Should any additional fees be required or an overpayment of fees made, please debit or credit our deposit account no. 19-0733, as necessary.

Respectfully submitted,

Date: 4/2/04


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☒ PATENT ☐ DESIGN B&W Ref. 000475.00004 Date 11-14-03
☐ HAND CARRY Group/Section _____ Bldg _____ Rm _____
Serial/Patent No. 091937897 Atty/Sec BETH/VH
Inventor Kemper et al Client Wenzel
Title _____

The following has been received in the U.S. Patent and Trademark Office on the date stamped hereon:

<input type="checkbox"/> Total pp Spec including: # of Claims _____ (# of independent claims) <input type="checkbox"/> Abstract _____	<input type="checkbox"/> Sequence Listing: <input type="checkbox"/> Diskette <input type="checkbox"/> Paper _____
<input type="checkbox"/> Drawings: <input type="checkbox"/> Formal <input type="checkbox"/> Informal _____ # of distinct sheets _____ Figs. _____	<input checked="" type="checkbox"/> Amendment <input type="checkbox"/> Response: OA <u>7-01-85</u>
<input type="checkbox"/> Declaration/Power of Attorney: <input type="checkbox"/> Executed <input type="checkbox"/> Unexecuted _____	<input checked="" type="checkbox"/> Petition for Extension of Time until <u>11-14-03</u>
<input type="checkbox"/> Assignment w/PTO Cover Sheet _____	<input type="checkbox"/> CPA <input type="checkbox"/> RCE <input type="checkbox"/> w/Ext of Time: OA <u>11-14-03</u>
<input type="checkbox"/> IDS w/PTO 1449 <input type="checkbox"/> References <input type="checkbox"/> w/Fee _____	<input type="checkbox"/> Request for Approval of Drawing Changes _____
<input type="checkbox"/> Preliminary Amendment _____	<input type="checkbox"/> Notice of Appeal & Fee _____
<input type="checkbox"/> Priority Claim (Foreign or U.S. Provisional B&W # _____)	<input type="checkbox"/> Brief: <input type="checkbox"/> Appeal & Fee <input type="checkbox"/> Reply _____
Country _____ Appl. # _____ Date _____	<input type="checkbox"/> Request for Oral Hearing _____
<input checked="" type="checkbox"/> w/Foreign Priority Document(s) _____	<input type="checkbox"/> Issue Fee <input type="checkbox"/> Advance Patent Copies (# ordered) _____
<input type="checkbox"/> Application: <input type="checkbox"/> CIP <input type="checkbox"/> Continuation <input type="checkbox"/> Divisional _____	Notice of Allowance <u>11-14-03</u>
Parent Ser. No. _____ B&W # _____	<input type="checkbox"/> Amendment under 37 CFR 1.312 _____
<input type="checkbox"/> U.S. Provisional _____ pp Spec/Claims: Cover Sheet _____	<input type="checkbox"/> Request for Certificate of Correction _____
<input type="checkbox"/> Response to Missing Parts/Requirements <u>dd</u> _____	<input type="checkbox"/> Transmittal <input checked="" type="checkbox"/> Fee Transmittal w/Auth. to Charge Deposit Acct. <u>19-0723</u>
<input type="checkbox"/> Response to Notice to File Corrected Appl. Papers <u>dd</u> _____	<input type="checkbox"/> Certificate of Mailing _____
<input type="checkbox"/> Request for Expedited Foreign Filing License _____	<input type="checkbox"/> Check # _____ for \$ _____
<input type="checkbox"/> Request for Corrected: <input type="checkbox"/> Filing Receipt <input type="checkbox"/> Assignment _____	<input checked="" type="checkbox"/> <u>855-Ext. fee</u>
<input type="checkbox"/> Response to Restriction/Election Requirement _____	<input type="checkbox"/> _____

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